

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 23-CR-20202-MOORE**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**PEDRO JESUS HIDALGO BANO,**

**Defendant.**

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**MOTION TO CONTINUE TRIAL**

Undersigned counsel hereby files this Motion to Continue Trial and in support thereof states:

1. Mr. Hidalgo Bano was charged by indictment with Count 1: Conspiracy to Encourage and Induce Aliens to Enter the United States, in violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I), Counts 2-14: Encouraging and Inducing Aliens to Enter the United States in violation of 8 U.S.C. § 1324(a)(1)(A)(iv), and Counts 15-27: Bringing Aliens into the United States in violation of 8 U.S.C. § 1324(a)(1)(A)(i). DE:11
2. Trial in this cause is scheduled for June 20, 2023. DE:14
3. Undersigned counsel received discovery on May 26, 2023 and would need additional time to review discovery with Mr. Hidalgo Bano.
4. For this reason, the undersigned requests that the Court find that the ends of justice are served by granting this continuance, which outweighs the interest of the public and Mr. Hidalgo Bano in a speedy trial pursuant to the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7).

5. The undersigned has conferred with AUSA Audrey Pence Tomanelli and she advised that she has no objection to this motion so long as the Court finds that the continuance is in the interest of justice and therefore excluded time from the Speedy Trial calculations.
6. The undersigned has also conferred with counsel for co-defendant Yoendri Fonseca and he has advised that he does not oppose this motion.

WHEREFORE, undersigned counsel respectfully requests that this Court grant this Motion to Continue Trial in this matter for 60 days.

Respectfully submitted,

MICHAEL CARUSO  
FEDERAL PUBLIC DEFENDER

BY: /s/*Jean-Pierre Gilbert*  
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#### **CERTIFICATE OF SERVICE**

I HEREBY certify that on June 1, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

*/s/Jean-Pierre Gilbert*

Jean-Pierre Gilbert